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EXAMINER

TESHALE, AKELAW

ART UNIT	PAPER NUMBER
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2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/537,043	Applicant(s) LIAN ET AL.	
	Examiner AKELAW A. TESHAE	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 11/03/2009.
2. Claims **1-20** are pending in this action.
3. This action is Non-Final.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claim 1** recites the limitation "the intelligent network" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 6,363,424 B1 to Douglas et al. in view of U.S Patent No. 6,622,016 B1 to Sladek et al.

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Regarding **claim 1**, Douglas teaches Softswitch device for a Next Generation Network, characterized in that said Softswitch device includes (see Fig.1 elements 14 and 22):

a network adaptive device located at a bottom layer of the Softswitch device the network adaptive device for implementing communication between the Softswitch device and other devices in said Network, as well as receiving call requests (Fig.1 element 26 and column 3 , lines 58-66);

a call server in a higher layer of the network adaptive device, the call server for determining whether the call received by said Network adaptive device is a common call or a call of the intelligent network and processing the common call (column 11, lines 19-34; the IN model may query a local policy server to determine what services the calling and called parties to process a common call); and

an Intelligent Network Application Part (INAP), the adapter for responding to the call of the intelligent network and encoding or decoding an INAP message. (column 4 , lines 20-37, column 4 line 53 through column 5, line 44; the SSP can the decode the response and use the information within it as appropriate as it continues with call processing).

However, Douglas does not excellently teach Customized Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) adapter in a higher layer of the call server.

In the same field of endeavor, Sladek teaches Mobile Application Part (MAP) adapter in a higher layer of the call server (column 14, lines 2-10).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Douglas teaching with Mobile Application Part (MAP) adapter in a higher layer of the call server as taught by Sladek in order to transport signals using SS7 protocols or over IP using transport.

Regarding **claim 2**, Douglas teaches the Softswitch device according to claim 1, characterized in that said Softswitch device further includes:

a resource manager for managing intelligent peripherals, performing audio interaction with a user through the call server, and transmitting the user input data to said adapter (column 11, lines 46-50).

Regarding **claim 3**, Douglas teaches the Softswitch device according to claim 1, characterized in that said Softswitch device further includes:

a signaling transmitting adapter for transferring signaling data through IP packets (see fig .1 and column 3, 44-66; Ip based system); and

a media gateway control adapter for transmitting data between said Softswitch device and one or more media gateways in said network (see fig.1 and column 3, lines 44-46, gatekeeper).

Regarding **claim 4**, Douglas teaches the Softswitch device according to claim 3, characterized in that the media gateway control adapter uses one or more of the following protocols: H.323 (column 4, line 38-46).

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Regarding **claim 5**, Douglas teaches the Softswitch device according to claim 1, characterized in that said network adaptive device includes:

an INAP/TCP interface for directly transmitting an expanded INAP encoded message through TCP/IP protocol (column 4, lines 20-37, column 4 line 53 through columns 5, line 44).

8. **Claims 11,16 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 6,363424 B1 to Douglas et al. in view of U.S Patent No. 6,826198 B2 to Turian et al.

Regarding **claim 11**, Douglas does not explicitly teach teaches the method according to claim 10, characterized in that said step for transforming the call request includes: transforming the call request in SS7 signaling format into the SIGTRAN protocol format.

In the same field of endeavor, Turian teaches transforming the call request in SS7 signaling format into the SIGTRAN protocol format (column 1, lines 32-46).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Douglas teaching with transforming the call request in SS7 signaling format into the SIGTRAN protocol format as taught by Turian in order to transport signaling messages using in a common channel signaling system No.7.

Regarding **claim 16**, Douglas does not explicitly teach the method according to claim 13, characterized in that said step for transforming includes: transforming the INAP message data in the SIGTRAN protocol format.

In the same field of endeavor, Turian teaches transforming the INAP message data in the SIGTRAN protocol format (column 1, lines 32-46).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Douglas teaching with transforming the INAP message data in the SIGTRAN protocol format as taught by Turian in order to transport signaling messages using in a common channel signaling system No.7.

Regarding **claim 20**, Douglas does not explicitly teach the method according to claim 19, characterized in that said step for transforming includes: transforming the call request in the SIGTRAN protocol format.

In the same field of endeavor, Turian teaches transforming the call request in the SIGTRAN protocol format (column 1, lines 32-46).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Douglas teaching with transforming the call request in the SIGTRAN protocol format as taught by Turian in order to transport signaling messages using in a common channel signaling system No.7.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 6- 10, 12-15 and 16-19** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S Patent No. 6,363,424 B1 to Douglas et al.

Regarding **claim 6**, Douglas teaches a system for implementing an intelligent network, including a Softswitch device, the system comprising:

a network adaptive device located at a bottom layer of the Softswitch device, the network adaptive device for implementing communication between the Softswitch device and other devices in said network, as well as receiving the call request (Fig.1 element 26 and column 3, lines 58-66):

a call server in a higher layer of the network adaptive device, the call server for determining whether a call received by said network adaptive device is a common call or a call of the intelligent network and processing the common call (column 11, lines 19-34; the IN model may query a local policy server to determine what services the calling and called parties to process a common call);

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an INAP adapter in a higher layer of the call server, the INAP adapter for responding to the call of the intelligent network and encoding or decoding the INAP message (column 4, lines 20-37, column 4 line 53 through column 5, line 44; the SSP can the decode the response and use the information within it as appropriate as it continues with call processing).;

at least one Service Control Point (SCP) for executing intelligent service logic and producing INAP messages Fig.1 element 16 and column 4, lines 5-37); and

an IP network for connecting said Softswitch device and the SCP (fig.1, and fig.10 see ip network with other ip components).

Regarding **claim 7**, Douglas teaches the system according to claim 6, characterized in that said system further includes: intelligent peripherals for providing special resources required by the intelligent network services; and

said Softswitch device further includes: a resource manager for managing said intelligent peripherals, performing audio interaction with a user through the call server, and transmitting the user input data to said INAP adapter (column 11, lines 6- 50).

Regarding **claim 8**, Douglas teaches the system according to claim 6, characterized in that said system further includes:

a signaling gateway, connecting to said IP network at its one side and to a Public Switched Telephone Network (PSTN) at another side, for transferring

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signaling data between said IP network and said PSTN ;a media gateway, connecting to said IP network at its one side and to a PSTN at another side, for transferring media data between said IP network and said PSTN; said Softswitch device further including: a signaling transmitting adapter for transferring signaling data through IP packets; and a media gateway control adapter for transmitting data between said Softswitch device and one or more media gateways in said network (see Fig.1and Fig.10)

Regarding **claim 9**, Douglas teaches a method for a PSTN telephone to access into an intelligent network service in a next generation network, wherein there is at least one SCP in said next generation network for executing the intelligent service logics (Abstract and column 3, line 44 through column 4 line 37), said method including:

issuing a call request from said PSTN telephone through dialing an accessing code (column 4, line 20 through column 5, line 47);

transforming said call request issued by said PSTN telephone into a protocol format suitable for the next generation network (column 4, lines 5-37);

determining whether said call request is an intelligent network service provided by the SCP or not (column 4, line 20 through column 5, line 44);

if said call request is an intelligent network service provided by the SCP, encoding said call request into an INAP message and transferring the message to said SCP (column 4, line 58 through column 5 line 44); and

responding to said INAP message and processing said call request by said SCP (column 4, line 58 through column 5 line 44).

Regarding **claim 10**, Douglas teaches the method according to claim 9, characterized in that said step for transforming the call request includes: transforming the call request in SS7 signaling format into a format suitable for transmitting on the IP network (column 4 , lines 20-37).

Regarding **claim 12**, Douglas teaches the method according to claim 9, characterized in that said step for determining includes: searching a database that stores the accessing codes of the intelligent network, determining whether the accessing code of the call request of said PSTN telephone is an accessing code of the intelligent network (column 3, line 44 through column 4, line 38 access to IN services hosted of network components such as the SCP)

Regarding **claim 13**, Douglas teaches a method for a telephone in a next generation network to access into an intelligent network service in a PSTN network, wherein there is at least one SCP in said PSTN network for executing intelligent service logic(Abstract and column 3, line 44 through column 4 line 37), said method including:

issuing a call request from said telephone in said next generation network through dialing an accessing code (column 4, line 20 through column 4, line 67);

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determining whether said call request is an intelligent network service provided by the SCP or not (column 4, line 58 through column 5 line 44);

if said call request is an intelligent network service provided by the SCP, encoding said call request into an INAP message (column 4, line 58 through column 5 line 44);

transforming said INAP message into a format suitable for the PSTN network and transferring said INAP message to said SCP (column 4, line 58 through column 5 line 44); and

responding to said INAP message and processing said call request by said SCP (column 4, line 58 through column 5 line 44)

Regarding **claim 14**, Douglas teaches the method according to claim 13, characterized in that said step for determining includes: searching a database that stores the accessing codes of the intelligent network, determining whether the accessing code of the call request of said telephone is an accessing code of the intelligent network (column 4, line 58 through column 5 line 44).

Regarding **claim 15**, Douglas teaches the method according to claim 13, characterized in that said step for transforming includes: transforming the INAP message data in IP network format into a format suitable for the PSTN network (column 4, lines 5-37).

Regarding **claim 17**, Douglas teaches a method for a telephone in a next generation network to access into an intelligent network service in a PSTN network, wherein there is at least one SCP in said PSTN network for executing intelligent service logic (Abstract and column 3, line 44 through column 4 line 37), said method including:

issuing a call request from said telephone in the next generation network through dialing an accessing code (column 4, line 20 through column 4, line 67);

transforming said call request into a format suitable for the PSTN network and transferring it to the PSTN network (column 4, lines 5-37);

determining whether said call request is an intelligent network service provided by said SCP or not (column 4, line 20 through column 4, line 44);

if said call request is an intelligent network service provided by the SCP, encoding said call request into an INAP message and transferring said 1NAP message to said SCP (column 4, line 58 through column 5 line 44); and

responding said INAP message and processing said call request by said SCP (column 4, line 58 through column 5 line 44).

Regarding **claim 18**, Douglas teaches the method according to claim 17, characterized in that said step for determining includes: searching a database that stores the accessing codes of the intelligent network, determining whether the accessing code of the call request of said telephone is an accessing code of the intelligent network (column 4, line 58 through column 5 line 44).

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Regarding **claim 19**, Douglas teaches the method according to claim 17, characterized in that said step for transforming includes: transforming the call request in IP network format into a format suitable for the PSTN network. (column 4, lines 5-37).

Response to Arguments

11. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Finkelstein et al (The Future of the Intelligent Network), June 200, Pages 100-106 teaches the future of the intelligent network and an access gateway connect the packet network to PSTN network under the control of a Softswitch device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKELAW A. TESHAI whose telephone number is (571)270-5302. The examiner can normally be reached on M-F 8:00am-5:00 Pm ET.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614

/Akelaw A Teshale/
Examiner, Art Unit 2614